

RESOLUTION NO. \_\_\_\_\_

PASSED \_\_\_\_\_

**A Resolution approving the conditional final plat of "Westchester Cluster Subdivision Phase IV", bounded on the east, south and west by Phase I and located generally on the north side of NW 82<sup>nd</sup> Boulevard between NW 54<sup>th</sup> Terrace on the west and the west boundary of Phase I closest to NW 51<sup>st</sup> Drive on the east; providing directions to the Clerk of the Commission; providing conditions and restrictions; and providing an immediate effective date.**

**WHEREAS**, the Development Review Board approved the design plat of "Weschester Cluster Subdivision Phase IV" on January 9, 2003; and

**WHEREAS**, on February 10, 2003, the City Commission approved the design plat in accordance with Section 30-183 of the Code of Ordinances; and

**WHEREAS**, the design plat included a Master Plan with a 12 month deadline to obtain conditional plat approval of Phase I and a six-month extension to August 10, 2004; and

**WHEREAS**, an additional 54 months to obtain conditional or final plat approval on the remaining property was granted, extending the time to February 10, 2009; and

**WHEREAS**, the owner of the proposed subdivision has requested the City Commission to accept and approve the plat as provided in Chapter 177 of the Florida Statutes and Chapter 30 of the Code of Ordinances of the City of Gainesville, Florida; and

**WHEREAS**, the City Commission finds that the conditional final plat described herein is consistent with the City of Gainesville 2000-2010 Comprehensive Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA;**

**Section 1.** The conditional final plat of "Weschester Cluster Subdivision Phase IV" is accepted and approved by the City Commission on the following described property lying in the City of Gainesville, Alachua County, Florida:

(See Exhibit "A" attached hereto and made a part hereof as if set forth in full)

**Section 2.** The owner and/or subdivider of the plat shall fully complete all subdivision improvements within two (2) years of the effective date of this Resolution in full accordance with approved plans and specifications and the ordinances of the City of Gainesville.

**Section 3.** The "Weschester Cluster Subdivision Phase IV" plat shall not be recorded, but shall be retained by the Clerk of the Commission until the City Manager shall have certified that all required improvements have been completed in accordance with approved plans and specifications and ordinances of the City and the same has been approved by the City Commission. Upon such certification by the City Manager and upon proof by title insurance or other similar assurance to the satisfaction of the City that there are no liens or possibilities of liens on such subdivision improvements or on the property dedicated to the public, and that the dedicator or dedicators have clear fee title thereto, the City shall approve such plat and other dedicated portions as shown on the approved plat and the subdivider shall record the plat and provide copies as specified in Chapter 30 of the Code of Ordinances of the City of Gainesville, Florida.

**Section 4.** No building permits shall be issued on the property within the boundaries of the "Weschester Cluster Subdivision Phase IV" plat until such plat has been approved and accepted by the City Commission and filed in the public records of Alachua County, Florida.

**Section 5.** No construction activities, including clearing and grubbing, shall begin without a permit being issued or a letter of permit exemption by the Suwannee Water Management District and a pre-construction conference with the City Public Works Department. A copy of the Water Management District permit must be on file with the City Public Works Department prior to commencement of any site work.

**Section 6.** Except as further provided herein during construction, the subdivider may, upon the posting of a bond or other such security for the cost of the uncompleted improvements, have this conditional approval converted to final approval and acceptance provided that all other requirements and conditions of Chapter 30 of the Code of Ordinances applicable to final plat acceptance have been met.

**Section 7.** This resolution shall be effective immediately upon adoption.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Pegeen Hanrahan, Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Kurt Lannon,  
Clerk of the Commission

\_\_\_\_\_  
Marion J. Radson, City Attorney